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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/692,880 | 10/23/2003 | Benjamin S. Ting | 1207.P001C5 | 1936 |
| 7590 09/27/2005 | | | EXAMINER | |
| Daniel E. Ovanezian BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1026 | | | LIN, SUN J | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2825 | |

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/692,880

Applicant(s)

TING, BENJAMIN S.

Examiner

Sun J. Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003 and 22 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-92 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-92 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/23/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to application 10/692,880 filed on 10/23/2003. Claims 1 – 92 remain pending in the application.

Claim Objections

2. Claims listed below are objected to because of the following informalities:

Claim 1, line 3 – 4, change “first and second spans” to **—first span and second span—**.
Claim 1, line 14 – 15, change “a third switch” to **—the third switch—**.
Claim 2, line 2, before “switches” insert **—first, second and third—**.
Claim 3, line 2, before “switches” insert **—first, second and third—**.
Claim 4, line 2, before “switches” insert **—first, second and third—**.
Claim 5, line 2, before “switches” insert **—first, second and third—**.
Claim 24, line 2 – 3, change “first and second spans” to **—first span and second span—**.
Claim 38, line 2 – 3, change “first and second spans” to **—first span and second span—**.
Claim 38, line 9, before “second” insert **—a—**.
Claim 42, line 2, before “switches” insert **—first, second, third and fourth—**.
Claim 43, line 2, before “switches” insert **—first, second, third and fourth—**.
Claim 44, line 2, before “switches” insert **—first, second, third and fourth—**.
Claim 45, line 2, before “switches” insert **—first, second, third and fourth—**.
Claim 52, line 2 – 3, change “first and second spans” to **—first span and second span—**.
Claim 52, line 15, delete **—two—**.
Claim 52, line 15 – 16, change “third and fourth switches” to **—third switch and fourth switch—**.

Appropriate corrections are required.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 1 – 92 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 – 93 of U.S. Patent No. 6,433,580 B1. Although the conflicting claims are not identical, they are not patentably distinct from each other because they have similar limitations: an integrated circuit comprising multiple conductors having a variety of combinations of different spans; one conductor (e.g., third conductor) is selectively coupled to a specific conductor (e.g., first conductor) through one of a set of switches without requiring traversal of another conductor (e.g., second conductor).

Conclusion

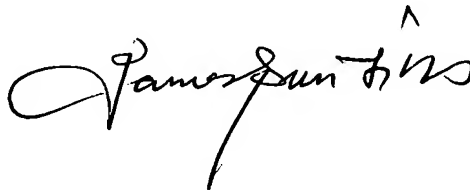
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sun J Lin whose telephone number is (571) 272 - 1899. The examiner can normally be reached on Monday-Friday 9:30AM - 6:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S Smith can be reached on (571) 272 - 1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sun James Lin
Patent Examiner
Art Unit 2825
September 22, 2005

A handwritten signature in black ink, appearing to read "James Lin", with a small upward-pointing arrow above the "i".